

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO: _____
v.	:	DATE FILED: _____
ELENA RAMIREZ MATTHEW STEPHENS a/k/a "Montana"	:	VIOLATIONS:
	:	18 U.S.C. § 371 (conspiracy to deal in firearms without a license - 1 count)
	:	18 U.S.C. §§ 922(a)(1)(A), 924(a)(1)(D) (dealing in firearms without a license – 1 count)
	:	26 U.S.C. §§ 5845(a), 5861(d), 5871 (possession of a non-registered machinegun – 3 counts)
	:	18 U.S.C. § 922(o) (possession of a machinegun - 3 counts)
	:	18 U.S.C. § 922(g)(1) (possession of a firearm or ammunition by a felon – 4 counts)
	:	Notices of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. Defendant ELENA RAMIREZ lived in Philadelphia, Pennsylvania.
2. Defendant MATTHEW STEPHENS lived on the 2300 block of North Howard Street, Philadelphia, Pennsylvania ("the North Howard Street residence").
3. The individual hereafter identified as "Buyer" was a person whose identity is known to the grand jury.

4. A Glock-type, select-fire machinegun conversion device was designed and intended for use in converting a semiautomatic Glock pistol to fire automatically.

5. A self-made unserialized firearm, commonly referred to as a "SMUF," was an unregistered firearm that lacks any identifiable markings.

6. A SMUF was created by purchasing a do-it-yourself kit which contained all of the individual parts needed to create a gun in a partially drilled state, commonly referred to as an unfinished receiver, a blank, or an "80%" receiver.

7. Defendants ELENA RAMIREZ and MATTHEW STEPHENS were not licensed to sell firearms as required by Title 26, United States Code, Section 5841.

8. Defendants ELENA RAMIREZ and MATTHEW STEPHENS were not registered to possess any machineguns in the National Firearms Registration and Transfer Record.

9. From in or about December 2018 through in or about February 2019, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**ELENA RAMIREZ
and
MATTHEW STEPHENS,
a/k/a "Montana,"**

conspired and agreed, together and with others known and unknown to the grand jury, to commit an offense against the United States, that is, to willfully engage in the business of dealing in firearms without being licensed to do so, under the provisions of Chapter 44, Title 18, United States Code, in violation of Title 18, United States Code, Section 922(a)(1)(A).

MANNER AND MEANS

10. Defendants ELENA RAMIREZ and MATTHEW STEPHENS were associated with each other and worked together to sell firearms, SMUFs, Glock-type select-fire machinegun conversion devices, and ammunition.

11. Defendants ELENA RAMIREZ and MATTHEW STEPHENS obtained, sold, and/or facilitated the sale of firearms, machinegun conversion devices, and ammunition to Buyer, a person known to the Grand Jury.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its object, defendants ELENA RAMIREZ and MATTHEW STEPHENS committed the following overt acts, among others, in the Eastern District of Pennsylvania:

1. From in or about December 2018 through on or about February 7, 2019, defendant ELENA RAMIREZ, defendant MATTHEW STEPHENS, and Buyer discussed the sale of firearms, SMUFs, and machinegun conversion devices.

On or about January 7, 2019:

2. Defendant MATTHEW STEPHENS and Buyer discussed the pending sale of six Glock-type machinegun conversion devices offered for sale by defendant ELENA RAMIREZ and a Mac rifle provided by another seller.

3. Defendants MATTHEW STEPHENS and ELENA RAMIREZ sold Buyer six Glock-type machinegun conversion devices, in exchange for \$2,400, at Lehigh and American Streets in Philadelphia, Pennsylvania.

4. Defendant MATTHEW STEPHENS sold Buyer a Mac 11, model CM11, 9mm caliber rifle, bearing serial number 94-0017506, in exchange for \$1,200, at the North Howard Street residence.

On or about January 11, 2019:

5. Defendant MATTHEW STEPHENS and Buyer discussed the pending sale of firearms offered for sale by defendant ELENA RAMIREZ.

6. Defendants MATTHEW STEPHENS and ELENA RAMIREZ sold Buyer an SKS 7.62 caliber rifle, bearing serial number 24149015, a SMUF black AR-15 variant rifle, a magazine loaded with 16 live rounds of .300 Blackout caliber ammunition, and a rifle magazine, in exchange for \$2,100, on the 2100 block of East Allegheny Street, in Philadelphia, Pennsylvania.

7. Between on or about January 19, 2019 through on or about January 24, 2019, defendant MATTHEW STEPHENS and Buyer discussed the pending sale of firearms and machinegun conversion devices offered for sale by defendant ELENA RAMIREZ.

8. On or about January 24, 2019, defendant ELENA RAMIREZ and Buyer discussed how much money defendant RAMIREZ had received and would receive from the firearm sales.

On or about January 25, 2019:

9. Defendants MATTHEW STEPHENS and ELENA RAMIREZ sold Buyer a gold and black SMUF AR-15 variant pistol, three rifle magazines containing a total of 90 rounds of 5.56 caliber ammunition, and six Glock-style machinegun conversion devices, in exchange for \$4,550, at the North Howard Street residence.

10. Defendant ELENA RAMIREZ and Buyer discussed the next sale of machinegun conversion devices.

11. From on or about January 31, 2019 through on or about February 7, 2019, defendant MATTHEW STEPHENS and Buyer discussed the pending sale of seven Glock-style machinegun conversion devices offered for sale by defendant ELENA RAMIREZ.

On or about February 7, 2019:

12. Defendant MATTHEW STEPHENS sold Buyer seven Glock-style machinegun conversion devices provided by ELENA RAMIREZ, in exchange for \$2,500, at the North Howard Street residence.

13. Defendant MATTHEW STEPHENS sold Buyer a SMUF AR-15 style short-barreled rifle, 16 rounds of 5.56 caliber LC 18 ammunition, and one firearm handguard part, in exchange for \$3,500, at the North Howard Street residence. The rifle was provided by a person whose identity is known to the Grand Jury.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

From in or about December 2018 through in or about February 2019, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**ELENA RAMIREZ
and
MATTHEW STEPHENS,
a/k/a “Montana,”**

willfully engaged in the business of dealing in firearms without being licensed to do so under the provisions of Chapter 44, Title 18, United States Code.

In violation of Title 18, United States Code, Sections 922(a)(1)(A) and 924(a)(1)(D).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 7, 2019, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**ELENA RAMIREZ
and
MATTHEW STEPHENS,
a/k/a "Montana,"**

knowingly possessed a machinegun, as defined by Title 18, United States Code, Section 921(a)(23), and Title 26, United States Code, Section 5845(b), that is, six Glock-type, select-fire machinegun conversion devices intended for use in converting a semiautomatic Glock pistol to fire automatically, without identifying marks and serial numbers.

In violation of Title 18, United States Code, Section 922(o).

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 25, 2019, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**ELENA RAMIREZ
and
MATTHEW STEPHENS,
a/k/a “Montana,”**

knowingly possessed a machinegun, as defined by Title 18, United States Code, Section 921(a)(23), and Title 26, United States Code, Section 5845(b), that is, six Glock-type, select-fire machinegun conversion devices intended for use in converting a semiautomatic Glock pistol to fire automatically, without identifying marks and serial numbers.

In violation of Title 18, United States Code, Section 922(o).

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 7, 2019, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**MATTHEW STEPHENS,
a/k/a "Montana,"**

knowingly possessed a machinegun, as defined by Title 18, United States Code, Section 921(a)(23), and Title 26, United States Code, Section 5845(b), that is, seven Glock-type, select-fire machinegun conversion devices intended for use in converting a semiautomatic Glock pistol to fire automatically, without identifying marks and serial numbers.

In violation of Title 18, United States Code, Section 922(o).

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 7, 2019, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**ELENA RAMIREZ
and
MATTHEW STEPHENS,
a/k/a "Montana,"**

knowingly possessed a machinegun as defined by Title 18, United States Code, Section 921(a)(23) and Title 26, United States Code, Section 5845(b), that is, six Glock-type, select-fire machinegun conversion devices intended for use in converting a semiautomatic Glock pistol to fire automatically, without identifying marks and serial numbers, not registered to them in the National Firearms Registration and Transfer Record, as required by Title 26, United States Code, Section 5841.

In violation of Title 26, United States Code, Sections 5845(a), 5861(d), and 5871.

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 25, 2019, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**ELENA RAMIREZ
and
MATTHEW STEPHENS,
a/k/a "Montana,"**

knowingly possessed a machinegun as defined by Title 18, United States Code, Section 921(a)(23) and Title 26, United States Code, Section 5845(b), that is, six Glock-type, select-fire machinegun conversion devices intended for use in converting a semiautomatic Glock pistol to fire automatically, without identifying marks and serial numbers, not registered to them in the National Firearms Registration and Transfer Record, as required by Title 26, United States Code, Section 5841.

In violation of Title 26, United States Code, Sections 5845(a), 5861(d), and 5871.

COUNT EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 7, 2019, in Philadelphia, in the Eastern District of Pennsylvania, defendant

MATTHEW STEPHENS
a/k/a "Montana,"

knowingly possessed a machinegun as defined by Title 18, United States Code, Section 921(a)(23) and Title 26, United States Code, Section 5845(b), that is, seven Glock-type, select-fire machinegun conversion devices intended for use in converting a semiautomatic Glock pistol to fire automatically, without identifying marks and serial numbers, not registered to him in the National Firearms Registration and Transfer Record, as required by Title 26, United States Code, Section 5841.

In violation of Title 26, United States Code, Sections 5845(a), 5861(d), and 5871.

COUNT NINE

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 7, 2019, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**MATTHEW STEPHENS,
a/k/a "Montana,"**

knowing he had previously been convicted in a court of Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm and ammunition, that is, one Mac 11, model CM11, 9mm caliber rifle, bearing serial number 94-0017506, and 10 live rounds of 9 mm ammunition, and the firearm and ammunition were in and affecting interstate and foreign commerce.

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT TEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 11, 2019, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**MATTHEW STEPHENS,
a/k/a "Montana,"**

knowing he had previously been convicted in a court of Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm and ammunition, that is, an SKS 7.62 caliber rifle, bearing serial number 2414901, and one magazine loaded with 16 live rounds of .300 Blackout caliber ammunition, and the firearm and ammunition were in and affecting interstate and foreign commerce.

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT ELEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 25, 2019, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**MATTHEW STEPHENS,
a/k/a "Montana,"**

knowing he had previously been convicted in a court of Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed ammunition, that is, three rifle magazines containing a total of 90 live rounds of 5.56 caliber ammunition, and the ammunition was in and affecting interstate and foreign commerce.

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT TWELVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 7, 2019, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**MATTHEW STEPHENS,
a/k/a "Montana,"**

knowing he had previously been convicted in a court of Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed ammunition, that is, 16 live rounds of 5.56 caliber LC 18 ammunition and one black AR-15 magazine containing 10 live rounds of 5.56 caliber LC 18 ammunition, and the ammunition was in and affecting interstate and foreign commerce.

In violation of Title 18, United States Code, Section 922(g)(1).

NOTICE OF FORFEITURE NO. 1

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violations of Title 18, United States Code, Sections 922(a)(1)(A), 922(o) and 922(g)(1), as set forth in the this indictment, defendants

**ELENA RAMIREZ
and
MATTHEW STEPHENS,
a/k/a "Montana,"**

shall forfeit to the United States of America all firearms and ammunition involved in the commission of these offenses, including but not limited to:

1. a Mac 11, model CM11, 9mm caliber rifle, bearing serial number 94-0017506;
2. 10 live rounds of 9mm ammunition;
3. two rifle magazines;
4. a model SKS 7.62 caliber rifle, bearing serial number 24149015;
5. a black self-made unserialized AR-15 variant rifle;
6. a magazine loaded with 16 live rounds of .300 Blackout caliber ammunition;
7. a gold and black self-made unserialized AR-15 variant pistol;
8. three rifle magazines containing a total of 90 live rounds of 5.56 caliber ammunition;
9. a black AR-15 magazine containing 10 live rounds of 5.56 caliber LC 18 ammunition;
10. 16 live rounds of 5.56 caliber LC 18 ammunition;
11. one firearm handguard part;
12. an AR-15 style short-barreled self-made unserialized rifle; and

13. 19 Glock-type select-fire machinegun conversion devices.

All pursuant to Title 18, United States Code, Section 924(d), made applicable by Title 28, United States Code, Section 2461(c).

NOTICE OF FORFEITURE NO. 2

As a result of the violation of Title 26, United States Code, Section 5861, set forth in this indictment, defendant

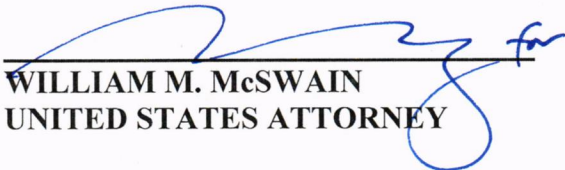
**ELENA RAMIREZ
and
MATTHEW STEPHENS,
a/k/a "Montana,"**

shall forfeit to the United States of America all firearms in the commission of such violation, including, but not limited to: 19 Glock-type, select-fire machinegun conversion devices intended for use in converting a semiautomatic Glock pistol to fire automatically, without identifying marks and serial numbers.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 26, United States Code, Section 5872.

A TRUE BILL:

GRAND JURY FOREPERSON


**WILLIAM M. McSWAIN
UNITED STATES ATTORNEY**